

Presidential Documents

Proclamation 5332 of April 29, 1985

Mother's Day, 1985

By the President of the United States of America

A Proclamation

For most of this century, we have set aside the second Sunday in May as a special day when we honor our mothers. It is very appropriate that we do so because from the earliest days of our country, mothers have played a major role in building America into a great Nation. The fortitude, courage, and love of family and country shown by these brave pioneer women lives on in mothers today.

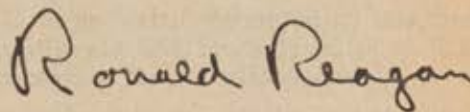
It is especially important that we honor mothers today, because we are more aware than ever before of the importance of the family unit, in which mothers play so central a role. Families are truly the foundation of society, and mothers the vital foundation of the life of the family. Their influence on the training and education of our youth is so deep and pervasive that it is impossible to measure.

When we honor mothers, therefore, we honor the women who shape our Nation's future. Their collective effect on the America our children will inherit is greater than that of any act of Congress or any Presidential decision. I am happy, therefore, to have this chance once a year to pay them tribute.

In recognition of the contributions of all mothers to their families and to the Nation, the Congress, by a joint resolution approved May 8, 1914 (38 Stat. 770), has designated the second Sunday in May each year as Mother's Day and requested the President to call for its appropriate observance.

NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, do hereby request that Sunday, May 12, 1985, be observed as Mother's Day. I direct government officials to display the flag of the United States on all Federal government buildings, and I urge all citizens to display the flag at their homes and other suitable places on that day.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of April, in the year of our Lord nineteen hundred and eighty-five, and of the Independence of the United States of America the two hundred and ninth.



Presidential Documents

Executive Order 12511 of April 29, 1985

President's Child Safety Partnership

By the authority vested in me as President by the Constitution and laws of the United States of America, including the Federal Advisory Committee Act, as amended (5 U.S.C. App. II), and in order to establish an advisory committee to recommend initiatives by which the private and public sectors may cooperate in promoting the safety of children, it is hereby ordered as follows:

Section 1. Establishment. (a) There is established the President's Child Safety Partnership.

(b) The Partnership shall be composed of not more than 26 members designated or appointed by the President from among citizens of the United States, and shall include the Attorney General, the Secretary of Health and Human Services, and the Secretary of Education. The President shall designate a Chairman from among the members of the Partnership.

Sec. 2. Functions. (a) The Partnership shall examine issues and make recommendations to the President on preventing the victimization and promoting the safety of children in the United States.

(b) The Partnership may conduct such studies, inquiries, hearings, and meetings as may be necessary to carry out its functions. The focus of the Partnership's inquiries and reports shall be on recommendations for public-private cooperation to encourage and facilitate private sector involvement in child safety efforts, including activities appropriate for action by service organizations, schools, businesses, charitable organizations, and public safety organizations.

(c) The Partnership shall report to the President from time to time as requested and shall submit its final report by April 29, 1987.

Sec. 3. Administration. (a) The heads of Executive agencies shall, to the extent permitted by law, provide the Partnership such information as it may require to carry out its functions.

(b) Members of the Partnership shall serve without compensation for their work on the Partnership. However, members appointed from among private citizens, including employees from State and local government, may, subject to the availability of funds, be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in the government service (5 U.S.C. 5701-5707).

(c) The Attorney General shall, to the extent permitted by law, provide the Partnership with such administrative services, funds, facilities, staff, and other support services as may be necessary for the performance of its functions.

Sec. 4. General. (a) The Departments of Justice, Health and Human Services, and Education are directed to join with the Partnership to encourage the development of public/private sector initiatives to prevent and respond to the victimization of children.

(b) Notwithstanding any other Executive order, the functions of the President under the Federal Advisory Committee Act, as amended, except that of reporting to the Congress, which are applicable to the Partnership, shall be performed by the Attorney General, in accordance with guidelines and procedures established by the Administrator of General Services.

(c) The Partnership shall terminate on April 29, 1987, or 60 days after submitting its final report, whichever is earlier.

Ronald Reagan

THE WHITE HOUSE,
April 29, 1985.

[FR Doc. 85-10703

Filed 4-29-85; 4:28 pm]

Billing code 3195-01-M

Presidential Documents

Proclamation 5333 of April 29, 1985

National Tourism Week, 1985

By the President of the United States of America

A Proclamation

Travel has long been recommended as a way to broaden the mind and refresh the spirit. But in previous ages, travel was often hazardous and difficult. The rewards of a romantic adventure could sometimes be more than overbalanced by the dangers a traveler might encounter along the way.

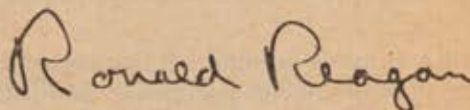
Today, the travel and tourism sector of our economy constitutes the second largest retail industry in the United States. The benefits of travel remain as enticing as ever, but the hazards and dangers have largely disappeared. Americans who want to travel abroad can experience the tremendous diversity of the world's cultures on group excursions or on individually designed tours.

Many Americans, however, are choosing to remain near home and explore the natural beauties and historic monuments of our own Nation. And many citizens of foreign lands are joining them in discovering that America's rich history and scenic wonders make it an excellent place to take a vacation.

The Congress, by Public Law 98-424 of September 25, 1984, has designated the week beginning May 19, 1985, as "National Tourism Week" and has authorized and requested the President to issue a proclamation in observance of this event.

NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, do hereby proclaim the week beginning May 19, 1985, as National Tourism Week. I call upon the people of the United States to observe this week with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of April, in the year of our Lord nineteen hundred and eighty-five, and of the Independence of the United States of America the two hundred and ninth.



1. The first part of the report is devoted to a general survey of the situation in the country.

2. The second part of the report is devoted to a detailed analysis of the situation in the country.

3. The third part of the report is devoted to a detailed analysis of the situation in the country.

4. The fourth part of the report is devoted to a detailed analysis of the situation in the country.

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27. The twenty-seventh part of the report is devoted to a detailed analysis of the situation in the country.

28. The twenty-eighth part of the report is devoted to a detailed analysis of the situation in the country.

Presidential Documents

Executive Order 12512 of April 29, 1985

Federal Real Property Management

By the authority vested in me as President by the Constitution and laws of the United States of America, including section 486(a) of title 40 of the United States Code, and in order to ensure that Federal real property resources are treated in accordance with their value as national assets and in the best interests of the Nation's taxpayers, it is hereby ordered as follows:

Section 1. General Requirements. To ensure the effective and economical use of America's real property and public land assets, establish a focal point for the enunciation of clear and consistent Federal policies regarding the acquisition, management, and disposal of properties, and assure management accountability for implementing Federal real property management reforms, all Executive departments and agencies shall take immediate action to recognize the importance of such resources through increased management attention, establishment of clear goals and objectives, improved policies and levels of accountability, and other appropriate actions. Specifically:

(a) The Domestic Policy Council shall serve as the forum for approving government-wide real property management policies;

(b) All Executive departments and agencies shall establish internal policies and systems of accountability that ensure effective use of real property in support of mission-related activities, consistent with Federal policies regarding the acquisition, management, and disposal of such assets. All such agencies shall periodically review their real property holdings and conduct surveys of such property in accordance with standards and procedures determined by the Administrator of General Services. All such agencies shall also develop annual real property management improvement plans that include clear and concise goals and objectives related to all aspects of real property management, and identify sales, work space management, productivity, and excess property targets;

(c) The Director of the Office of Management and Budget shall review, through the management and budget review processes, the efforts of departments and agencies toward achieving the government-wide property management policies established pursuant to this Order. Savings achieved as a result of improved management shall be applied to reduce Federal spending and to support program delivery;

(d) The Office of Management and Budget and the General Services Administration shall, in consultation with the land managing agencies, develop legislative initiatives that seek to improve Federal real property management through the adoption of appropriate private sector management techniques; the elimination of duplication of effort among agencies; and the establishment of managerial accountability for implementing effective and efficient real property management practices; and

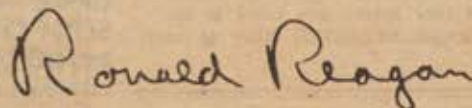
(e) The President's Council on Management Improvement, subject to the policy direction of the Domestic Policy Council, shall conduct such additional studies as are necessary to improve Federal real property management by appropriate agencies and groups.

Sec. 2. Real Property. The Administrator of General Services shall, to the extent permitted by law, provide government-wide policy oversight and guidance for Federal real property management; manage selected properties for

agencies; conduct surveys; delegate operational responsibility to agencies where feasible and economical; and provide leadership in the development and maintenance of needed property management information systems.

Sec. 3. Public Lands. In order to ensure that Federally owned lands, other than the real property covered by Section 2 of this Order, are managed in the most effective and economic manner, the Departments of Agriculture and the Interior shall take such steps as are appropriate to improve their management of public lands and National Forest System lands and shall develop appropriate legislative proposals necessary to facilitate that result.

Sec. 4. Executive Order No. 12348 of February 25, 1982, is hereby revoked.



THE WHITE HOUSE,

April 29, 1985.

[FR Doc. 85-10752

Filed 4-30-85; 10:58 am]

Billing code 3195-01-M

Rules and Regulations

Federal Register

Vol. 50, No. 84

Wednesday, May 1, 1985

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

DEPARTMENT OF AGRICULTURE

Federal Grain Inspection Service

7 CFR Part 810

U.S. Standards for Soybeans

AGENCY: Federal Grain Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: According to the requirements for the periodic review of existing regulations, the Federal Grain Inspection Service (FGIS) has reviewed the U.S. Standards for Soybeans. Pursuant to this review, FGIS is revising the soybean standards to: (1) Delete the current classes of Green, Black, and Brown soybeans and include these deleted classes in a new definition of Soybeans of other colors; (2) include limits in the Sample grade requirements for soybeans, and (3) make miscellaneous changes in language, format, and references. These changes are made to update and conform the standards to other grain standards.

EFFECTIVE DATE: September 9, 1985.

FOR FURTHER INFORMATION CONTACT: Lewis Lebakken, Jr., Information Resources Management Branch, USDA, FGIS, Room 0667 South Building, 1400 Independence Avenue, S.W., Washington, DC 20250, telephone (202) 382-1738.

SUPPLEMENTARY INFORMATION:

Executive Order 12291

This final rule has been issued in conformance with Executive Order 12291 and Departmental Regulation 1512-1. This action has been classified as nonmajor because it does not meet the criteria for a major regulation established in the Order.

Regulatory Flexibility Act Certification

Dr. Kenneth A. Gilles, Administrator, FGIS, has determined that this final rule will not have a significant economic impact on a substantial number of small entities because those persons who apply the standards and most users of soybean inspection services do not meet the requirements for small entities as defined in the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Further, the standards are applied equally to all entities by FGIS employees or licensed persons.

Effective Date

Pursuant to section 4(b) of the United States Grain Standards Act (7 U.S.C. 76(b)) (the Act), no standards established or amendments or revocations of standards are to become effective less than one calendar year after promulgation, unless in the judgment of the Administrator, the public health, interest, or safety requires that they become effective sooner. Pursuant to that section of the Act, it has been determined that in the public interest, the revision become effective September 9, 1985. This will coincide with the beginning of the 1985 crop year and to facilitate domestic and export marketing and will provide adequate time to implement the revised standards and for the industry to make necessary marketing changes involving existing contracts and other documents. The effective date of this action coincides with the effective date of a previous revision of the soybean standards (49 FR 35743). To avoid confusion and to coordinate changes to the soybean standards, it is in the best interest of the public that these two revisions are effective on the same date.

Final Action

The review of the standards included a determination of the continued need for the standards and the potential to clarify or simplify the language of the standards; a review of changes in marketing practices and functions affecting the standards; a review of changes in technology and economic conditions in the area affected by the standards; and a determination of the potential to improve the standards and their application through the incorporation of grading factors or tests which better indicate quality attributes. The objective is to assure that the

standards continue to serve the needs of the market to the greatest possible extent.

A notice requesting public comment on the U.S. Standards for Soybeans, Corn, and Mixed Grain was published in the May 8, 1980, Federal Register (45 FR 30446). Views and comments were solicited to help in the study and evaluation of present grading practices and standards and in the development of any recommendations for change. Following this request for public comment, additional information was evaluated and discussions were held with soybean industry representatives to aid in the formulation of proposed changes to the soybean standards.

A proposal to revise the standards for soybeans was published in the December 20, 1984, Federal Register (49 FR 49474). The proposal included the following:

1. Delete test weight per bushel as a grade-determining factor for soybeans.
2. Revise the current classes of soybeans by deleting the classes of Green, Black, and Brown soybeans, and include these classes in a new definition of Soybeans of other colors.
3. Include limits in the Sample grade requirements for soybeans.
4. Make changes in language, format, and update the footnotes referenced in the standards to enhance the clarity and uniformity among grain standards.

Within the 60-day comment period, 37 written comments were received. Twenty-two comments were received from importers of U.S. soybeans and soybean products. Eight comments were received from State Departments of Agriculture, universities and producer representatives. Seven comments were received from representatives of grain elevators, domestic processors, and exporters. The large majority of commenters confined their remarks to the proposed deletion of test weight per bushel as a grade-determining factor and the previous final rule (49 FR 35743), which deletes moisture content as a grade determining factor (effective September 9, 1985).

Twenty-nine commenters were opposed to the deletion of test weight per bushel as a grade determining factor, while six commenters favored the proposal. The six commenters who favored the proposal included two national producer organizations, two State Departments of Agriculture, a

producer, and a university professor. The majority of the commenters who opposed the test weight change represented U.S. soybean handlers, grain industry associations, exporters, and importers. The soybean handlers and some of the exporters generally indicated that the deletion of test weight per bushel as a grade determining factor would not prevent producers from being discounted for soybeans with low test weight. Concerning the export markets, the grain trade associations and the exporters generally opposed the proposal because, in their opinion, it would be misleading and would create confusion for the importers given present trading and marketing practices. The importers opposed the proposal because they (1) consider test weight per bushel as a grade determining factor to be a critical test for soybeans; (2) claim that U.S. soybean quality has been deteriorating, and the deletion of test weight as a grade determining factor will add to the deterioration; and (3) believe that the change may impair the confidence in the uniformity and quality of U.S. soybeans, causing them to look to other suppliers to meet their needs.

While, as stated in the proposal, some producers have questioned the value of the test weight per bushel as a grade determining factor and its use for discounting, based upon information received from exporters as well as foreign importers, it is evident that its use as a grade determining factor is of value to the industry, especially in view of present trading and marketing practices.

Accordingly considering information available including comments, FGIS has determined that test weight per bushel should be retained as a grade determining factor in the soybean standards. As in the current standards, test weight per bushel will continue to be expressed in whole and half pounds with a fraction of a half pound disregarded. Applicable comments favored the current provisions of test weight per bushel including that it be expressed in whole and half pounds.

A majority of the comments addressing the proposed changes in class designations and the revisions in format favored these changes as an improvement in the soybean standards. The changes as proposed, are included in this final rule.

Many commenters addressed changes that were not included in the proposed revision of the soybean standards. Twelve commenters requested the inclusion of protein and oil content in the standards. Four commenters asked that FGIS make changes in the current provision for assessing stink bug

damaged soybeans. Four other comments requested changes to the current allowances for foreign material. FGIS is currently conducting studies to refine the methodology for rapidly measuring oil and protein content and will consider proposing the inclusion of these factors into the standards in the future. A study is also underway to improve the current method for assessing stink bug damaged soybeans. Possible changes will be addressed when the study is completed. The comments on excess foreign material and the current foreign material provisions in the standards will be given consideration during the next review of the soybean standards.

As a result of this review, the U.S. Standards for Soybeans are revised as discussed below.

1. To enhance clarity and uniformity among standards, FGIS is revising the U.S. Standards for Soybeans by dividing the standards into 4 parts, and into sections, similar to the present format in other U.S. grain standards. Specifically, in addition to the changes below, the undesignated heading, TERMS DEFINED consists of a new § 810.601, *Definition of soybeans*, and a new § 810.602, *Definition of other terms*. An undesignated heading, PRINCIPLES GOVERNING APPLICATION OF STANDARDS consists of a new § 810.603, *Basis of determination*, a new § 810.604, *Temporary modifications in equipment and procedures*, and a new § 810.605, *Percentages*. An undesignated heading, GRADES, GRADE REQUIREMENTS, AND GRADE DESIGNATIONS consists of a new § 810.606, *Grades and grade requirements for soybeans*, and a new § 810.607, *Grade designations*. The undesignated heading, SPECIAL GRADES, SPECIAL GRADE REQUIREMENTS, AND SPECIAL GRADE DESIGNATIONS consists of a new § 810.608, *Special grades and special grade requirements*, and § 810.609, *Special grade designations*.

Incidental to this revision, the current § 810.601, *Terms defined*, is removed as unnecessary. TERMS DEFINED becomes an undesignated heading, and § 810.601 is designated the new *Definition of soybeans*. The current § 810.602, *Principles governing application of the standards*, is removed; PRINCIPLES GOVERNING APPLICATION OF STANDARDS becomes an undesignated heading, and § 810.602 is designated the new *Definition of other terms*. The current § 810.603, *Grades, grade requirements, and grade designations*, is removed; GRADES, GRADE REQUIREMENTS, AND GRADE DESIGNATIONS becomes

an undesignated heading, and § 810.603 is designated the new *Basis of determination*.

The current § 810.601 (a) *Soybeans*, is redesignated as § 810.601, *Definition of soybeans*, and includes the scientific name for soybeans. The current § 810.601 (b) *Classes*, § 810.601 (c) *Yellow soybeans*, and § 810.601 (g) *Mixed soybeans*, are revised and redesignated as the new § 810.602(a). The current § 810.601 (d), (e) and (f) are removed as classes and redesignated as § 810.602(h), *Soybeans of other colors*, as discussed below. The current § 810.601(h) *Grades* is removed as unnecessary. The current § 810.601 (i) *Bicolored soybeans*, is incorporated into the new § 810.602 (h), *Soybeans of other colors*, and includes additional information incorporated from the current § 810.903. Section 810.903, therefore, is removed.

The current § 810.601(j) *Splits*, (k) *Damaged kernels*, (l) *Heat-damaged kernels*, (m) *Foreign material*, and (n) *Stones*, are restated and redesignated as § 810.602 (i), (b), (e), (d), and (j), respectively. The current § 810.602 (c) *Moisture*, and (d) *Test weight per bushel* are redesignated as (f) and (k), respectively. The current § 810.601(o) $\frac{1}{16}$ sieve, is redesignated as § 810.602(1).

Also included in the new § 810.602 *Definition of other terms*, are definitions for two new terms, (c) *Distinctly low quality* and (g) *Purple mottled or stained*, which are incorporated from the current § 810.901 and § 810.902, respectively. Sections 810.901 and 810.902, therefore, are removed.

The new § 810.603 *Basis of determination* (previously § 810.602(a)), is clarified by rewording the section and dividing it into three subparagraphs, (a) *Distinctly low quality*, (b) *Certain quality determinations*, and (c) *All other determinations*. This format appears in other grain standards and the information which appears in the section is generally contained in the FGIS Grain Inspection Handbook.

A new § 810.604, *Temporary modifications in equipment and procedures*, is included. The equipment and procedures referenced in the soybean standards are applicable to grain produced under normal environmental conditions. The revision provides that, when adverse growing or harvest conditions make impractical the use of routine procedures, minor temporary modifications in the equipment or procedures may be required to obtain results expected under normal conditions. Adjustments in interpretations (i.e., identity, quality,

and condition) shall not be made. This section is similar to sections which appear in other grain standards.

The current § 810.602(b) *Percentages*, is clarified by explaining in greater detail the rounding procedures currently used for soybeans. Accordingly, this revision specifies how a figure will be rounded when followed by a figure greater, lesser, or equal to five. This revision makes the wording of the section the same or similar to that used in other grain standards, as appropriate. The section is included in the new § 810.605, *Percentages*.

A new § 810.606 *Grades and grade requirements for soybeans* (currently § 810.603), is included. Changes are made to clarify wording and to revise the format for the requirements for U.S. Sample grade. The format changes for the U.S. Sample grade requirements are made to conform to other grain standards and to incorporate the current § 810.901 into these requirements. Because of changes to other standards, § 810.901 applies only to soybeans, therefore § 810.901 is removed.

A new § 810.607 *Grade designation* (currently an undesignated heading), is included. Changes are made to clarify wording and to conform to other grain standards. The current § 810.603 (b) and (c) are redesignated as § 810.607 (a) and (b), respectively.

An undesignated heading, currently contained in § 810.603(d) is revised to read: **SPECIAL GRADES, SPECIAL GRADE REQUIREMENTS, AND SPECIAL GRADE DESIGNATIONS**. The heading is followed by two new sections, § 810.608 *Special grades and special grade requirements*, and § 810.609 *Special grade designations*. This information is currently contained in § 810.603(d) (1 and 2). The new wording and format for this section of the soybean standards adds clarity and conforms with other grain standards.

As indicated above, § 810.901, § 810.902, and § 810.903 in the current standards are removed and incorporated into other sections.

2. The current classes of soybeans are revised. The current soybean standards define classes for Yellow, Green, Brown, Black, and Mixed soybeans. While it is known that some black or brown soybeans are produced for special purposes, detailed information on the production of green, brown, or black soybeans is not available because of the limited production. Further, these soybeans are rarely offered for official inspection. With these revisions, two classes of soybeans are defined—Yellow and Mixed soybeans. Under the revised standard, a sample containing green, brown, or black soybeans, or a

mixture thereof, when exceeding 10% of the sample, is certified as Mixed soybeans. A new definition for soybeans of other colors is added to the revised soybean standards. Soybeans of other colors include black, brown, green, and bicolored soybeans. The percentage of yellow soybeans and the percentage of soybeans of other colors would follow the class designation on the inspection certificate, e.g., U.S. No. 2 Mixed soybeans, Yellow soybeans 80%, Soybeans of other colors, 20%.

3. FGIS has included in the definition of U.S. Sample grade, the limits for stones, pieces of glass, crotalaria seeds, castor beans, particles of an unknown foreign substance(s), rodent pellets, bird droppings, and animal filth. The limits of 8 or more stones (which have an aggregate weight in excess of 0.2 percent of the sample weight), 2 or more pieces of glass, 3 or more crotalaria seeds, 2 or more castor beans, 4 or more particles of an unknown substance(s) or a commonly recognized harmful or toxic substance(s), and 10 or more pieces of rodent pellets, bird droppings, or other animal filth, have been followed in the inspection process for many years, are contained in the FGIS Grain Inspection Handbook, and do not constitute new limits. The limits are added to the definition of U.S. Sample grade for clarity and to conform with other grain standards.

4. Footnotes are updated to delete reference to the Inspection and Equipment Handbooks as appropriate. Footnote 2 is revised and references to footnotes 3 and 4 are changed to footnote 2. Footnotes 3 and 4 are deleted.

5. In addition to the changes referenced above which differ from the proposed rule, miscellaneous non-substantive changes are made in this final rule for clarity and for facilitating use of the standards. These minor changes appear, generally in §§ 810.605, 810.606, and 810.607, and relate to grammatical and format changes. Otherwise, this final rule is the same as that proposed.

List of Subjects in 7 CFR Part 810

Export, Grain.

PART 810—OFFICIAL U.S. STANDARDS FOR GRAIN

The authority citation for Part 810 continues to read as follows:

Authority: Pub. L. 94-582, 90 Stat. 2867, as amended (7 U.S.C. 71 *et seq.*)

Accordingly, the United States Standards for Soybeans is amended by revising §§ 810.601–810.603, adding

§§ 810.604–810.609, and by removing §§ 810.901–810.903 as follows:

United States Standards for Soybeans

Sec.

Terms Defined

- 810.601 Definition of soybeans.
- 810.602 Definition of other terms.

Principles Governing Application of the Standards

- 810.603 Basis of determination.
- 810.604 Temporary modifications in equipment and procedures.
- 810.605 Percentages.

Grades, Grade Designations, and Grade Requirements

- 810.606 Grade and grade requirements for soybeans.
- 810.607 Grade designations.

Special Grade, Special Grade Requirements, and Special Grade Designations

- 810.608 Special grades and Special grade requirements.
- 810.609 Special grade designations.

United States Standards for Soybeans¹

Terms Defined

§ 810.601 Definition of soybeans.

Grain which consists of 50 percent or more of whole or broken soybeans (*Glycine max* (L.) Merr.) which will not pass readily through an $\frac{1}{4}$ -inch sieve and not more than 10.0 percent of other grains for which standards have been established under the United States Grain Standards Act.

§ 810.602 Definition of other terms.

For the purposes of these standards the following terms shall have the meaning stated below:

(a) *Classes*. There are two classes for soybeans:

(1) *Yellow soybeans*. Soybeans which have yellow or green seed coats, and which in cross section, are yellow or have a yellow tinge, and may include not more than 10.0 percent of soybeans of other colors.

(2) *Mixed soybeans*. Soybeans that do not meet the requirements of the class Yellow soybeans.

(b) *Damaged kernels*. Soybeans and pieces of soybeans which are badly ground-damaged, badly weather-damaged, diseased, frost-damaged, heat-damaged, insect-bored, mold-damaged, sprout-damaged, stink-bug-stung, or otherwise materially damaged. Stinking-stung kernels are considered damaged

¹ Compliance with the provisions of the standards does not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act, or other Federal laws.

kernels at the rate of one-fourth of the actual percentage of the stung kernels.

(c) *Distinctly low quality.* Soybeans which are of obviously inferior quality because they are in an unusual state or condition, and which cannot be graded properly by use of the other grading factors provided in the standards.

Distinctly low quality includes the presence of any objects too large to enter the sampling devices; i.e., large stones, wreckage, or similar objects.

(d) *Foreign material.* All matter, including soybeans and pieces of soybeans, which will readily pass through an $\frac{1}{4}$ -inch sieve and all matter other than soybeans remaining on the sieve after sieving.

(e) *Heat-damaged kernels.* Soybeans and pieces of soybeans which are materially discolored and damaged by heat.

(f) *Moisture.* Water content in soybeans as determined by an approved device in accordance with procedures prescribed in FGIS Instructions.²

(g) *Purple mottled or stained.* Soybeans which are discolored by the growth of a fungus; or by dirt; or by dirt-like substance(s) including nontoxic inoculants; or by other nontoxic substances.

(h) *Soybeans of other colors.* Soybeans which have green, black, brown, or bicolored seed coats. Soybeans which have green seed coats will also be green in cross section. Bicolored soybeans will have seed coats of two colors, one of which is brown or black, and the brown or black color shall cover 50 percent of the seed coats. The hilum of a soybean is not considered a part of the seed coat for this determination.

(i) *Splits.* Soybeans with more than $\frac{1}{4}$ of the bean removed and which are not damaged.

(j) *Stones.* Concreted earthy or mineral matter and other substances of similar hardness that do not disintegrate readily in water.

(k) *Test weight per bushel.* The weight per Winchester bushel (2,150.42 cubic inch capacity) as determined on the original sample using an approved device in accordance with procedures prescribed in FGIS Instructions.² Test weight per bushel is expressed in whole and half pounds with a fraction of a half pound disregarded.

(l) *$\frac{1}{4}$ inch sieve.* A metal sieve 0.032 inch thick perforated with round holes

0.125 ($\frac{1}{8}$) inch in diameter with approximately 4,736 perforations per square inch.

Principles Governing Application of Standards

§ 810.603 Basis of determination.

(a) *Distinctly low quality.* The determination of distinctly low quality is made on the basis of the lot as a whole at the time of sampling when a condition exists that may or may not appear in the representative sample and/or the sample as a whole.

(b) *Certain quality determinations.* Each determination of class, heat damaged kernels, damaged kernels, splits, and soybeans of other colors is made on the basis of the grain when free from foreign material.

(c) *All other determinations.* All other determinations are made on the basis of the sample as a whole. When a condition exists that may not appear in the representative sample, the determination may be made on the basis of the lot as a whole at the time of sampling in accordance with procedures prescribed in the Grain Inspection Handbook.²

§ 810.604 Temporary modifications in equipment and procedures.

The equipment and procedures referred to in the soybean standard are applicable to soybeans produced and harvested under normal environmental conditions. Abnormal environmental conditions during the production and harvest of soybeans may require temporary modifications in equipment or procedures to obtain results expected

under normal conditions. When these adjustments are necessary, proper notification will be made in a timely manner. Adjustments in interpretations (i.e., identity, quality, and condition) are excluded and shall not be made.

§ 810.605 Percentages.

(a) Percentages shall be determined on the basis of weight and shall be rounded off as follows:

(1) When the figure to be rounded is followed by a figure greater than 5, round to the next higher figure; e.g., 0.46, report as 0.5.

(2) When the figure to be rounded is followed by a figure less than 5, retain the figure; e.g., 0.54, report as 0.5.

(3) When the figure to be rounded is even and followed by the figure 5, retain the even figure. When the figure to be rounded is odd and followed by the figure 5, round the figure to the next higher number; e.g., 0.45 report as 0.4; 0.55; report as 0.6.

(b) Percentages shall be stated in whole and tenth percent to the nearest tenth percent, except when determining splits. The percentage of splits is stated in whole percent with a fraction of a percent disregarded.

Grades, Grade Requirements, and Grade Designations

§ 810.606 Grades and grade requirements for soybeans.

The following grades and grade requirements are applicable under these standards. In Mixed soybeans, the factor "soybeans of other colors" will be disregarded.

Grade	Minimum test weight per bushel (pounds)	Maximum limits of—			
		Splits (percent)	Damaged kernels		Soybeans of other colors (percent)
			Total (percent)	Heat damaged (percent)	Foreign material (percent)
U.S. No. 1	56.00	10.0	2.0	0.2	1.0
U.S. No. 2	54.00	20.0	3.0	0.5	2.0
U.S. No. 3 ¹	52.00	30.0	5.0	1.0	3.0
U.S. No. 4 ²	49.00	40.0	8.0	3.0	5.0

U.S. Sample grade: U.S. Sample grade shall be soybeans which:

(a) Do not meet the requirements of U.S. No. 1, 2, 3, or 4; or

(b) Contain 6 or more stones which have an aggregate weight in excess of 0.2 percent of the sample weight, 2 or more pieces of broken glass, 3 or more crotalaria seeds (*Crotalaria* spp.), 2 or more castor beans (*Ricinus communis*), 4 or more pieces of an unknown foreign substance(s) or a commonly recognized harmful or toxic substance(s), 10 or more rodent pellets, bird droppings, or an equivalent quantity of other animal filth in 1,000 grams of soybeans; or

(c) Have a musty, sour or commercially objectionable foreign odor (except garlic odor); or

(d) Are heating or otherwise of distinctly low quality.

¹ Soybeans which are purple mottled or stained shall be graded not higher than U.S. No. 3.

² Soybeans which are materially weathered shall be graded not higher than U.S. No. 4.

§ 810.607 Grade designation.

(a) *Grade designations for soybeans.* (See also § 810.608.) The grade designations for soybeans shall include in the following order: (1) The letters "U.S."; (2) The number of the grade or the words "Sample grade"; (3) The class;

and (4) Each applicable special grade (See also § 810.609). In the case of Mixed soybeans, the grade designation shall also include, following the name of the class, the approximate percentages of Yellow soybeans and soybeans of other colors in the mixture.

² Requests for information concerning inspection and certification procedures, approved devices, criteria for approved devices, and requests for approval of devices should be directed to the Federal Grain Inspection Service, U.S. Department of Agriculture, 1400 Independence Avenue, SW., Washington, D.C. 20250.

(b) *Optional grade designations.* Soybeans may be certified (under certain conditions²) when supported by official analysis, as "U.S. No. 2 or better Soybeans," "U.S. No. 3 or better Soybeans," and the like. The optional grade designations for soybeans shall include the name of the applicable class immediately preceding the word "soybeans" on the grade designation. The special grade designation, when applicable, also shall be included (under certain conditions²) in the certification.

Special Grades, Special Grade Requirements, and Special Grade Designations

§ 810.606 Special grades and special grade requirements.

A special grade, when applicable, is supplemental to the grade assigned under § 810.606. Such special grades are established and determined as follows:

(a) *Garlicky soybeans.* Soybeans which contain 5 or more garlic bulblets in a 1,000 gram portion.

(b) *Infested soybeans.* Soybeans which are infested with live weevils or other insects injurious to stored grain as set forth in the Grain Inspection Handbook.²

§ 810.609 Special grade designations.

Special grade designations shall be made in addition to all other information prescribed in § 810.607. The grade designation for garlicky and infested soybeans shall include in the order listed, following the applicable class, the word "Garlicky" and "Infested," as warranted, and all other information prescribed in § 810.607.

§§ 810.901-810.903 [Removed]

Dated: April 17, 1985.

Dr. Kenneth A. Gilles,

Administrator, FGIS.

[FR Doc. 85-10347 Filed 4-30-85; 8:45 am]

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Agricultural Marketing Service

7 CFR Part 1032

[Milk Order No. 32]

Milk in the Southern Illinois Marketing Area; Order Suspending Certain Provisions

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Suspension of rules.

SUMMARY: This action suspends for the month of April 1985 the provisions of the

Southern Illinois milk order relating to how much milk may be moved directly from farms to nonpool plants and still be priced under the order. The suspension was requested by six cooperative associations that represent a substantial majority of the producers who supply the market. The suspension is needed to provide additional flexibility to allow efficient and orderly adjustments by market participants to changes in marketing conditions caused by the April 1, 1985, termination of the St. Louis-Ozarks order.

EFFECTIVE DATE: May 1, 1985.

FOR FURTHER INFORMATION CONTACT: John F. Borovics, Marketing Specialist, Dairy Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250, (202) 447-2089.

SUPPLEMENTARY INFORMATION: Prior document in this proceeding:

Notice of Proposed Suspension: Issued April 4, 1985; published April 9, 1985 (50 FR 13976).

William T. Manley, Deputy Administrator, Agricultural Marketing Service, has certified that this action will not have a significant economic impact on a substantial number of small entities. This action lessens the regulatory impact of the order on certain milk handlers and tends to insure that dairy farmers will continue to have their milk priced under the order and thereby receive the benefits that accrue from such pricing.

This order of suspension is issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 *et seq.*), and of the order regulating the handling of milk in the Southern Illinois marketing area.

Notice of proposed rulemaking was published in the *Federal Register* on April 9, 1985 (50 FR 13976) concerning a proposed suspension of certain provisions of the order. Interested persons were afforded opportunity to file written data, views, and arguments thereon. No comments opposing the suspension were received.

After consideration of all relevant material, including the proposal set forth in the aforesaid notice and other available information, it is hereby found and determined that for the month of April 1985 the following provisions of the order do not tend to effectuate the declared policy of the Act:

In § 1032.13(b)(2), the words "on any day during the months of May, June, and July, during the months of August and December for not more than 12 days of production of producer milk by such producer, and in any other month for not

more than 8 days of production of producer milk by such producer".

Statement of Consideration

This action removes the limit on the amount of milk that may be diverted from pool plants to nonpool plants during the month of April 1985. The order now provides that during the month of April not more than 8 days of production of a producer may be diverted to nonpool plants. During the following months of May through July the order does not limit the amount of milk that may be diverted to nonpool plants.

The suspension was requested by six cooperative associations that represent a substantial majority of the producers who supply the market. The suspension is necessary to provide additional flexibility for market participants to adjust to changes in marketing conditions occurring as a result of the April 1, 1985, termination of the adjacent St. Louis-Ozarks order. As a result of that termination a number of fluid milk plants in the St. Louis metropolitan area, and a substantial volume of producer milk associated with such plants, will be regulated under the Southern Illinois order. Significant marketing adjustments will have to be made by the cooperative associations who supply the fluid milk needs of the market to accommodate the structural changes in the market.

In view of these circumstances, it is concluded that the aforesaid provisions should be suspended to ensure the orderly marketing of milk supplies. The suspension will provide greater flexibility in making adjustments to the changed marketing conditions. The April through July period of no limits on diversions of milk to nonpool plants (there are no diversion limitations during May-July) will allow for adjustments to the termination of the St. Louis-Ozarks order to be made in an efficient manner.

It is hereby found and determined that thirty days' notice of the effective date hereof is impractical, unnecessary and contrary to the public interest in that:

(a) This suspension is necessary to reflect current marketing conditions and to assure the orderly marketing of milk in the marketing area;

(b) This suspension does not require of persons affected substantial or extensive preparation prior to the effective date; and

(c) Notice of proposed rulemaking was given interested parties and they were afforded opportunity to file written data, views or arguments concerning this suspension. No comments opposing the suspension were received.